

INTELLECTUAL PROPERTY IN ASEAN MEMBER STATES: DEVELOPMENT TRENDS AND PROTECTION

Sustainable economic growth in modern conditions depends on the sale of high-tech production, the introduction of research and development results into circulation, the provision of knowledge-based services with a decreasing dependence on the supply of natural resources. Although the national production of the Association of Southeast Asian Nations (ASEAN) is diversifying, it mainly includes the release of products developed in other regions. In addition, the economies of a number of countries are highly dependent on the export of natural resources. In order to ensure a high level of income in the future, a direction has been chosen to build a knowledge economy. It is assumed that the development in the field of intellectual property facilitate this process.

ASEAN Member States plan to become significant players in global innovation networks and knowledge-based value chains. In order to increase its innovative potential and stimulate economic growth the governments suppose to attract innovative multinational companies to their national economy to ensure high quality R&D and create high-tech production. Such MNE will be able to provide financing for innovation activities, the use of skills and the dissemination of technological know-how that are not available locally or regionally.

Intellectual property (IP) plays an important role in the achievement of national and regional social and economic development goals of the ASEAN Economic Community. The protection of intellectual property rights (IPRs) is critical for ASEAN Member States because it will enable them to move up the technological ladder, encourage technology transfer and stimulate innovation. Thus, securing IPRs is one of the important areas for creating a competitive, innovative and dynamic ASEAN.

The ASEAN Framework Agreement on Intellectual Property Cooperation was signed on December 15, 1995 in Bangkok, Thailand, and can be considered the starting point of interaction between the countries participating in the integration association in the field of IPRs. This agreement recognizes the importance of intellectual property rights for trade and investment flows between the parties, as well as the importance of cooperation in the field of IPR enforcement in the region.

The ASEAN Intellectual Property Rights Action Plan 2016–2025 containing four strategic goals is currently being implemented. These goals are expected to be achieved through activities to be carried out by all participating countries. The Plan will contribute to improving IP systems and providing services with a higher level of integrity and transparency for users.

To analyze the effectiveness of measures taken in the field of IP we conducted a comparative study of the number of applications filed by the ASEAN Member States for registration of IPRs, in particular for patents, trademarks, industrial designs, and utility models. For the study, the statistical information of the World Intellectual Property Organization official website was used.

As a result of the study, a link was established between the improvement of legislation in the field of intellectual property and the measures taken by the governments of ASEAN Member States to protect IPRs with an increase in the number of filing applications for registration. It indicates an increase in IP importance in the economic development of the region. Constant cooperation and interaction between states in the field of IP is necessary to achieve strategic economic and social goals, even if countries are at different levels of political, socio-cultural and economic development.